

LFC Requestor: KLUNDT, Kelly

2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House
Number: 479

Category: Bill
Type: Introduced

Date (of THIS analysis): 02/21/25
Sponsor(s): Gail Armstrong and Rebecca Dow
Short Title: Use of Title of "Doctor"

Reviewing Agency: Agency 665 - Department of Health
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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	NA	NA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	NA	NA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	NA	NA

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 479 (HB479) would enact a new section of the Uniform Licensing Act to prohibit non-physician healthcare providers with a doctoral degree from using the title of “doctor” in any form of advertising or communication in a clinical setting without identifying as a doctor of a specific profession. It also makes provision for professional discipline, including denial, suspension, or revocation of the non-physician healthcare provider’s license.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

The use of the title "Doctor" is supported by the American Association of Nurse Practitioners (AANP) for doctorly prepared nurses and other health care providers in the clinical setting. However, the American Medical Association (AMA) supports restricting the use of the title "doctor" to physicians, dentists, and podiatrists (<http://www.ama-assn.org/>) and the American Osteopathic Association also support what they call “truth in advertising” to ensure patients know whether they are being treated by a physician or other healthcare practitioner ([AOA statement on physician-led care, physician assistant title change and non-physician clinician use of the title 'doctor' - The DO](#)), citing potential harm to patient care and safety.

Other states and countries have also grappled with the issue of non-physician providers using the title “doctor” in healthcare settings. Georgia passed the “Health Care Practitioners Truth and Transparency Act” in 2024 mandating that a clinician’s advertising must include their name and the specific license they hold for the services they provide. ([GA Passes Law Banning Medical Title Misappropriation](#)). California has a long-standing law (passed in 1937) prohibiting the use of the term “doctor” or the prefix “Dr.” by anyone other than California-licensed allopathic and osteopathic physicians. In 2023, the AMA filed a joint

amicus curiae brief along with the California Medical Association (CMA) in support of the law after three nurse practitioners with Doctor of Nursing degrees sued the state over this law. ([CMA and AMA urge against non-physicians' use of "doctor" title | American Medical Association](#)). In their brief, the AMA noted "the potential harm to members of the public who may be misled into believing they are dealing with physicians whenever those terms are used by non-physicians....Physicians are educated and trained differently and more deeply and robustly than any other professional health care practitioner...[and] the public continues to view physicians as the pillar of healthcare and closely associates the term "doctor" or "Dr." with physicians or surgeons.

In Canada, an audiologist in Ontario who has a doctoral degree challenged the Ontario law after the College of Audiologists and Speech Language Pathologists of Ontario found her guilty of misconduct and suspended her for three months. She also had to pay the college nearly \$100,000 in costs. The College of Physicians and Surgeons in Ontario pointed out that "[w]ithin a healthcare setting, the public typically associates the title 'doctor' with those who provide medical treatment and advice. Identifying non-physician doctorates by the title 'doctor' may lead to misconceptions from the public." ([Who is entitled to the title of "doctor"? - PMC.](#))

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
- Is this proposal related to the NMDOH Strategic Plan? Yes No
 - Goal 1:** We expand equitable access to services for all New Mexicans
 - Goal 2:** We ensure safety in New Mexico healthcare environments
 - Goal 3:** We improve health status for all New Mexicans
 - Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

None

9. HEALTH IMPACT(S)

As cited above, according to the AMA and other national medical organizations, there are potential negative health impacts that could result if patients have a false understand with regard to the training and education level of the provider treating them in a healthcare setting. When a patient receives information from someone calling themselves “doctor,” it is likely an assumption will be made that the provider has a medical degree. Thus, someone could believe the advice they were given came from someone with specific medical training and experience, when that in fact is not the case.

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB479 is not enacted, non-physician healthcare providers with a doctoral degree would not be prohibited from using the title of “doctor” in any form of advertising or communication in a clinical setting without identifying as a doctor of a specific profession, and there would be no law specifically allowing for disciplinary action in such a case.

12. AMENDMENTS

None